

Open Burning Workgroup  
Meeting Summary  
September 27, 2005  
10:00 am

The Missouri Department of Natural Resources' Air Pollution Control Program (APCP) held a meeting of the open burning workgroup September 27 to discuss open burning issues.

Paul Myers opened the meeting. Each of the participants was asked to introduce themselves. The 3 options available to the workgroup were summarized: make no changes to the regulations, amend the current regulations, or develop a new regulation that consolidates the existing regulations.

It was brought up that in some areas that no open burning is what is desired, but that the regulations allow open burning. Would it be possible to change regulations to reflect reduced open burning in areas since the regulations were last amended? Others commented that local ordinances could be stricter to further limit open burning.

The status of federal regulations on open burning was brought up. It was said that it is unlikely that federal regulations would be developed in the next few years to assist states. One thing that needs to be reemphasized is that the current regulations are federally approved as part of the Missouri SIP and therefore EPA would not allow the state to weaken the regulations. This needs to be remembered as the workgroup consolidates and proposes changes to the regulations.

Air curtain destructors and their use in open burning was discussed. A brief explanation of how ACDs work was given. Could they be required for all permits? The cost of ACDs was brought up and several people shared their experiences with using and pricing ACDs.

The increased open burning as part of land management on federal lands was discussed. The amount of land where prescribed burning will take place will be increased in the future. Burn plans take steps to reduce smoke and use modeling to help predict prescribed burn impacts. Concerns about this and other prescribed burns is danger from fires, health, and air quality. Fire departments still retain control on ability to regulate fires even if permitted.

Fire department approval is required for ACDs and most permitted open burnings.

One of the draft consolidated rules specifically requires that open burning not cause a nuisance, or impact air quality, or interfere with vehicular traffic. How is that to be measured? This could preclude any type of open burning activity. The workgroup discussed this. Nuisance would be hard to establish parameters, but for visibility an opacity limit could be used and for air quality a monitoring system could be used. It was pointed out that in most situations, a complaint would result in action taken before an open burning activity gets to the point where it would trigger such problems. Maybe not list the requirements in the rule, but rather as a condition of any permit issued.

A discussion on the workgroup goals was brought up. Is our goal to consolidate or to make stricter? It was explained that the goal was to look at the existing regulations and improve where possible by addressing concerns expressed by citizens and others. Anything proposed would have to go through the division and department and then ultimately to a public hearing before the Missouri Air Conservation Commission. The commission has the rulemaking authority.

Kris Ricketts presented another possible way to look at open burning regulations. She outlined categories or groups that would or would not have to obtain a permit for burning.

It was proposed by Paul that a vote be taken on the future direction of the workgroup. The following options were presented to the workgroup. Option 1 was to take no action and leave current regulations as they are. Option 2 was to amend the current 4 regulations to improve them and make them more consistent. Option 3 was to develop a new regulation that would apply to the entire state. A vote was taken on the 3 options. A majority of the workgroup voted for Option 3.

The workgroup also created 2 subgroups to examine specific issues. Definitions are important to the open burning regulations. Confusion over what can and cannot be burned is often due to misreading or misinterpreting definitions. The definitions subgroup will look at the present definitions and recommend changes that may be needed to increase understanding and compliance. The education subgroup will work on a brochure that could be used in a mailing. The brochure will focus on educating the public on open burning issues such as health, safety, and air quality. Workgroup participants in the subgroups are listed below.

#### Definitions Subgroup

Kris Ricketts  
Cecilia Campbell  
Garrett Hawkins  
Jerry Sparkman  
Richard Barnes

#### Education Subgroup

Tim Turpin  
Dan Engemann  
Bill Altman  
Bennie Terrell  
Tom Burmeister

The meeting adjourned at 12:15 pm.

#### Attendees:

Don Spadoni, Osage Beach FPD  
Dale Lohmeyer, Warco Inc.  
Tom Burmeister, Twehouse Excavating Co.  
Jerry Sparkman, Battlefield FPD

Cecilia Campbell, MDNR/Solid Waste Management Program  
Macey Jett, Missouri Department of Transportation  
Bill Altman, Missouri Department of Conservation  
Richard Barnes, MDNR/Southwest Regional Office  
Kris Ricketts, MDNR/Regional Office coordinator  
Randy Miller, Mark Twain National Forest  
Bennie Terrell, Mark Twain National Forest  
Paul Myers, MDNR/Air Pollution Control Program  
Jim Kavanaugh, MDNR/Air Pollution Control Program  
Garrett Hawkins, Missouri Farm Bureau  
Tim Turpin, MDNR/Division of State Parks  
Ken M<sup>c</sup>Carty, MDNR/Division of State Parks  
Tim Froeschner, St. Louis County Air Pollution Control Program  
Dan Engemann, Missouri Department of Agriculture  
Karl Barke, Springfield Air Pollution Control

Jack Lonsinger (phone), Small Business Compliance Advisory Committee  
Tom Markowski (phone), MDNR/St. Louis Regional Office  
Richard Vani (phone), MDNR/Kansas City Regional Office